

60,469-474 PUSI
PA-000.05361-US**REMARKS**

Claims 1, 7 and 8 are amended above. New claims 9 and 10 are presented. Applicant respectfully requests reconsideration of this application.

The objection to claims 1, 7 and 8 can be withdrawn.

The amendments to claims 1, 7 and 8 include taking into consideration the Examiner's objection to those claims. The language to which the Examiner objected has been deleted from the claims. The objection can be withdrawn.

The rejection under 35 U.S.C. §101 of claim 8 can be withdrawn.

The amendments to claim 8 include reciting a computer readable storage medium. Therefore, claim 8 recites statutory subject matter and the rejection under 35 U.S.C. §101 of that claim can be withdrawn.

The rejection of claims 1 and 4-8 under 35 U.S.C. §103 should be withdrawn.

Applicant respectfully submits that there is no *prima facie* case of obviousness based upon the proposed combination of the *Sansevero* and *Vialonga* references. Applicant respectfully disagrees with the Examiner's interpretation of the *Sansevero* reference. The Examiner suggests that the *Sansevero* reference teaches generating a control signal that moves an elevator car to a predetermined parking position and that the elevator is disabled until further control signals are received. The Examiner points to the inspection switch 10 as being an engineer interface that generates such a control signal. The inspection switch 10 in the *Sansevero* reference, however, never automatically moves the car to a predetermined parking position. Instead, that switch allows a mechanic on top of the car to selectively move the car up and down.

60,469-474 PUSI
PA-000.05361-US

The inspection speed limit switches do prevent movement of the car to a furthest point at the opposite ends of the hoistway. There is no connection between that operation, however, and the teachings in column 2, lines 29-67, where the Examiner contends that the *Sansevero* reference teaches that the elevator is disabled until a further control signal is received. As explained in column 3, lines 7-23, a mechanic has to go through several steps to place an elevator into inspection mode and use the switch 10 for moving the car through the hoistway at an inspection speed. If the car were moved to one of the opposite ends of the hoistway, that would result in a speed limit switch preventing the elevator car from moving further in that direction. That, however, does not correspond to the elevator car being disabled as stated in column 2, lines 29-67. It is clear from the *Sansevero* reference that the statements in column 2 occur during a different portion of a procedure and has nothing to do with the elevator car moving at an inspection speed at which it would potentially contact one of the inspection limit switches. Therefore, the *Sansevero* reference does not teach what the Examiner contends.

Further, neither of the references teaches automatically moving an elevator car into a predetermined parking position responsive to a pit access control signal. The *Sansevero* reference includes an arrangement that allows an individual to manually select movement of the car up and down at an inspection speed responsive to a signal directing the car to move up or down. Such a signal is not a pit access signal and does not result in automatically moving the car to a predetermined parking position. The *Vialonga* reference does not teach automatic movement of an elevator car to a predetermined parking position responsive to a pit access control signal, either.

It follows that there is no *prima facie* case of obviousness against any of claims 1, 7 or 8. Neither of the references (nor the combination) includes a teaching regarding automatically

RECEIVED
RECEIVED
CENTRAL FAX CENTER 60,469-474 PUSI
PA-000.05361-US
JUL 22 2009

moving an elevator car to a predetermined parking position responsive to a pit access control signal.

The rejection of claims 2-3 under 35 U.S.C. §103
can be withdrawn.

Given the comments above, adding the teachings of the *Conchello* reference to the proposed combination of the *Sansevero* and *Vialonga* references does not result in a *prima facie* case of obviousness. Even if all three references are combined together, there is no teaching for automatically moving an elevator car into a predetermined parking position responsive to a pit access control signal.

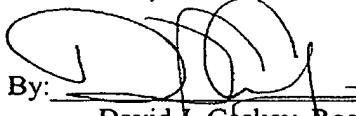
Conclusion

Applicant believes this case is in condition for allowance.

Applicant believes that no additional fees are necessary, however, the Commissioner is authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds for any additional fees or credit the account for any overpayment.

Respectfully submitted,

CARLSON, GASKEY & OLDS

By: 

David J. Gaskey, Reg. No. 37,139
400 W. Maple Rd., Ste. 350
Birmingham, MI 48009
(248) 988-8360

Dated: July 22, 2009
N:\Clients\OTIS ELEVATOR\IP00474 PUSI\PATENT\Response 7-09.doc